

REMARKS

Claim 8 has been amended. Claims 1, 5-8, 12 and 16-21 remain for further consideration. No new matter has been added. The rejections shall be taken up in the order presented in the Official Action.

2. Claims 16-21 currently stand rejected for allegedly being anticipated by the subject matter disclosed in U.S. Patent 6,647,327 to Wolf et al (hereinafter “Wolf”).

A substitute declaration is enclosed herewith claiming priority under 35 U.S.C. §120 to Wolf and priority under 35 U.S.C. §119 to German patent application 100 60 168.5.

Wolf is assigned of record to Becker GmbH. The present application is also assigned of record to Becker GmbH. Therefore, Wolf and the present application are co-owned.

The application from which Wolf became U.S. Patent 6,647,327 was filed on November 15, 2000, and Wolf issued as U.S. Patent 6,647,327 on November 11, 2003. The present application was filed on December 4, 2001. Therefore, the present application and Wolf were co-pending between December 4, 2001 through November 11, 2003.

Dirk Lappe is named as a joint inventor on Wolf, and is also a joint inventor of the subject matter claimed in the present application. Therefore, there is commonality of inventorship.

The present application and Wolf both relate to the field of data communication. Therefore, there is commonality of subject matter in the present application and Wolf.

Accordingly, upon entry of the substitute declaration, Wolf will no longer be available as prior art against the claims of the present application.

3. Claims 1, 5-8 and 12 currently stand rejected for allegedly being obvious in view of the subject matter disclosed in U.S. Patent 6,647,327 to Wolf et al (hereinafter "Wolf").

A substitute declaration is enclosed herewith claiming priority to Wolf. Therefore, upon entry of the substitute declaration, Wolf will no longer be available as prior art against the claims of the present application.

Reconsideration and allowance of claims 1, 5-8, 12 and 16-21 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,



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